

111TH CONGRESS
1ST SESSION

S. 1433

To provide for interregional primary elections and caucuses for the selection of delegates to political party Presidential nominating conventions.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2009

Mr. NELSON of Florida (for himself and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide for interregional primary elections and caucuses for the selection of delegates to political party Presidential nominating conventions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair and Representa-
5 tive Presidential Primaries Act of 2009”.

6 **SEC. 2. INTERREGIONAL PRIMARY ELECTIONS AND CAU-**
7 **CUSES.**

8 (a) **SELECTION OF DELEGATES TO CONVENTIONS.—**

9 The delegates to each national convention for the nomina-

tion of candidates of a political party for the offices of President and Vice President shall be selected by primary election or by caucus, as provided by State law. Such State law shall conform to the requirements of the national political executive committee and the national nominating convention of the political party involved.

(b) TIMING OF PRIMARY ELECTIONS AND CAUCUSES.—

(1) IN GENERAL.—In each region described in subsection (c), the primary elections and caucuses (as the case may be) in a subregion (comprised of a State or a group of States) shall be conducted on each of the following days of each Presidential election year: the second Tuesday in March, the first Tuesday in April, the fourth Tuesday in April, the second Tuesday in May, the fourth Tuesday in May, and the second Tuesday in June.

(2) INITIAL ORDER OF PRIMARIES AND CAUCUSES.—For the first Presidential election with respect to which this Act applies, the Election Assistance Commission shall determine by lot the order of subregions in each region for conduct of primary elections and caucuses by the States under paragraph (1).

1 (3) ORDER OF PRIMARIES AND CAUCUSES FOR
2 SUBSEQUENT ELECTIONS.—The subregions deter-
3 mined under paragraph (2) to be first in order for
4 the first Presidential election to which this Act ap-
5 plies shall be last in order with respect to the next
6 such election, and the other subregions shall advance
7 in the order accordingly. The order shall change
8 with respect to subsequent elections in a like man-
9 ner.

10 (4) SPECIAL RULES FOR DISTRICT OF COLUM-
11 BIA, PUERTO RICO, AND TERRITORIES.—Any pri-
12 mary election or caucus for the District of Columbia
13 shall be conducted on the same day as a primary
14 election or caucus for the State of Maryland. Any
15 primary election or caucus for the Commonwealth of
16 Puerto Rico shall be conducted on the same day as
17 a primary election or caucus for the State of Flor-
18 ida. Any primary election or caucus for any other
19 territory, possession, or other entity entitled under
20 the rules of a political party to delegate representa-
21 tion at the national convention of that party shall be
22 conducted on the same day as a primary election or
23 caucus for the States of Alaska and Hawaii.

1 (c) ESTABLISHMENT OF REGIONS.—The regions
 2 (designated by number) and the subregions (designated by
 3 letter) referred to in subsection (b) are as follows:

4 (1) Region 1: (A) Maine, New Hampshire,
 5 Vermont; (B) Massachusetts; (C) Connecticut,
 6 Rhode Island; (D) Delaware, New Jersey; (E) New
 7 York; (F) Pennsylvania.

8 (2) Region 2: (A) Maryland; (B) West Virginia;
 9 (C) Missouri; (D) Indiana; (E) Kentucky; (F) Ten-
 10 nessee.

11 (3) Region 3: (A) Ohio; (B) Illinois; (C) Michi-
 12 gan; (D) Wisconsin; (E) Iowa; (F) Minnesota.

13 (4) Region 4: (A) Texas; (B) Louisiana; (C) Ar-
 14 kansas, Oklahoma; (D) Colorado; (E) Kansas, Ne-
 15 braska; (F) Arizona, New Mexico.

16 (5) Region 5: (A) Virginia; (B) North Carolina;
 17 (C) South Carolina; (D) Florida; (E) Georgia; (F)
 18 Mississippi, Alabama.

19 (6) Region 6: (A) California; (B) Washington;
 20 (C) Oregon; (D) Idaho, Nevada, Utah; (E) Montana,
 21 North Dakota, South Dakota, Wyoming; (F) Ha-
 22 waii, Alaska.

23 **SEC. 3. ENFORCEMENT.**

24 The Attorney General may bring a civil action in any
 25 appropriate United States district court for such declara-

1 tory or injunctive relief as may be necessary to carry out
2 this Act.

3 **SEC. 4. REGULATIONS.**

4 The Election Assistance Commission shall prescribe
5 such regulations as may be necessary to carry out this
6 Act.

7 **SEC. 5. DEFINITION.**

8 As used in this Act, the term “State law” means the
9 law of a State, the District of Columbia, the Common-
10 wealth of Puerto Rico, or a territory or possession of the
11 United States.

12 **SEC. 6. EFFECTIVE DATE.**

13 This Act shall apply with respect to Presidential elec-
14 tions taking place more than 2 years after the date of the
15 enactment of this Act.

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